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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re HILDEBRANDT et al. Attn: Art Unit 2856
Serial No. 10/674,168 Examiner Charles D. Garber
Filing Date 09/29/2003
DIRECTLY REFRIGERATED BLOCK August 2005 Amendment

Commissioner for Patents, Alexandria, VA 22313-1450:

I certify that this correspondence is facsimile-transmitted
to the Patent and Trademark Office (571-273-8300) on 17 AUG 2005:

Christopher John Rudy: Christopher John Rudy 8/17/2005.

Thank you for the 05/18/2005 Office action for the present
patent application. In reply to the action, please reconsider
and further examine this application.

CLAIMS AMENDMENTS follow this page. Without entry of new
matter, the present amendment more particularly points out and
distinctly claims the invention, and is fully supported by the
underlying specification to include drawings. With no additional
fee currently due, claims 1-3, 7-15 and 19-24 are present.

The withdrawal of claims 12 and 15 (group III) as set forth
in the outstanding action is strenuously traversed. These claims
were rejoined in the previous action, i.e., that of 01/27/2005,
on page 3, third full paragraph, and were acted upon, on the
merits, on pages 5, 7 and 8. In fact the Examiner stated in that
action on page 7, "Claim 15 is considered to be substantively the
same as claim 8 . . .," claim 8 being a member of the provisionally
elected group I. Such action was relied on by the Applicants in
the amendment filed on April 4th. No further reasons were given
to support this restriction. The restriction of claim 3 (group
II) is likewise traversed. Claims 9, 11 and 14, previously
identified as being in group II and clearly identified in the
amendment filed on April 4th as "withdrawn," hence not amended
thereby (but for which claims instructions had been given for an
Examiner's amendment on the introductory page of the amendment
filed on April 4th for intended dependencies and formalities),
were acted upon by examination in the outstanding action and
objected to, and, therefore, are now considered to be rejoined.
Accordingly, withdrawn claim 3 should be rejoined with present
claims 9, 11 and 14, with, for example, claim 11 having the same
limitations as presented in claim 10 that engendered the reasons
for allowance of claim 10. Moreover, as applies to all claims,
all the generic and elected claims distinguish over the art. New
claims 19-24 have limitations of allowable claim 10 (with claim 8
and former claim 1, sans claim 2) in generic claim 19; claim 2 in
claim 20, having the same limitations that engendered the reasons
for allowance of former claim 10 and reading on elected group I;
claim 3 in claim 21, reading on group II; and claims 12-15 in
claims 22-24, reading on group III plus being generic (claim 22);
or plus group I (claim 23); or plus group II (claim 24), which
should be allowed. Please therefore withdraw these restrictions.

FURTHER REMARKS conclude the present paper.